

REMARKS/ARGUMENTS***Claim Amendments***

Claims 1, 3, 5, 10, 11, 13, 16, 17, and 19 have been amended. Claims 20 – 22 have been added. No new matter has been added. Claims 6, 7, and 9 have been canceled.

Claim 1 has been amended “to form a transfer suitable for application to a surface of an article.” Support for this amendment is found in the published application at page 2, lines 23-25 of published application: “The transfer may be applied to the surface of a ceramic article which is then to be heated to fire the image to the article and remove the cover coat” and elsewhere in the application.

Claim 13 has been amended to provide the steps of applying the transfer to a ceramic article; and heating the article to fire the image to the article. Support for this amendment is found in the application at paragraph [0005].

New claim 20 provides that the carrier sheet comprises a siliconised paper or card. Support for this amendment is found in the application at paragraph [0014].

Support for new claims 21 and 22 are also found in paragraphs [0005] and [0014].

Claim Objections

Claims 5-7, 10-12, and 17-19 stand objected to as being in improper multiple dependent form. Claims 5, 10, 11, 17, and 19 have been amended. Applicants request that the objections be withdrawn.

Discussion of Rejections***A. Anticipation Rejections***

Claims 1, 2, 13 and 14 stand rejected under 35 U.S.C. § 102(e) as anticipated by Wen (U.S. Patent No. 6,428,154).

Claim 1 has been amended to include that applying the cover coat to the sheet to which the image has been applied, forms a transfer suitable for application to a surface of an

article. Wen is only directed to printing an image on a substrate (such as paper) and applying a coating, where this is the final product. For example, Wen discloses printing on an ink receiver 80 such as a piece of paper. See paragraph [0012]. In contrast, in the present application, an image and a cover coat are applied to a carrier sheet to form a transfer. The transfer is suitable for application to the surface of an article. For example, the transfer may then be used for further application to a substrate such as a ceramic substrate. See, e.g., page 2, lines 23-25 and page 5, lines 16-20 of the published application. Thus, Wen does not teach the formation of a “a transfer suitable for application to a surface of an article.” Therefore, claim 1 is not obvious. Applicants request that the rejection of claims 1 and 2 be withdrawn.

Claim 13 has been amended to provide the steps of applying the transfer to a ceramic article; and heating the article to fire the image to the article. As discussed above, Wen does not disclose or suggest forming a transfer, and does not disclose anything remotely related to applying the transfer to a ceramic article and heating the article to fire the image to the article. Therefore, claim 13 is not anticipated. Applicants request that the rejection of claims 13 and 14 be withdrawn.

B. Obviousness Rejections

Claims 3, 4, 8, 9 and 15-16 stand rejected under 35 U.S.C. § 103(a), as unpatentable over Wen in view of Kyser et al. (U.S. Patent No. 3,946,398). Kyser does not remedy the deficiencies of Wen with respect to amended claims 1 and 13. Therefore, for the same reasons described above for claim 1, claims 3, 4, 8, and 9 are not obvious. For the same reasons described above for claim 13, claims 15 and 16 are not obvious. Applicants request that the rejections be withdrawn.

New claims 20-22 are also not obvious and applicants request that they be allowed. Claim 20 provides that the carrier sheet comprises a siliconised paper or card. None of the cited references discloses the use of siliconised paper or card as a carrier sheet. Claims 21 and 22 are not obvious for the same reasons described above with respect to claim 13.

Conclusion

If, in the opinion of the Examiner, a telephone conference would expedite the prosecution of the subject application, the Examiner is invited to call the undersigned attorney.

Respectfully submitted,

/Joseph A. Yosick/

Joseph A. Yosick., Reg. No. 51,062
Videojet Technologies Inc.
1500 N. Mittel Blvd.
Wood Dale, IL 60191
(630) 694-2592 (telephone)
(630) 616-2490 (facsimile)

Date: June 25, 2009